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10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF CALIFORNIA
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13 BRAD K. BUCKLEY,

14 Plaintiff,

15 v.
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17 MICHAEL J. ASTRUE,
18 Commissioner of the Social Security
19 Administration,

20 Defendant.
21

CASE NO. 11-CV-01402 W

**ORDER (1) ADOPTING REPORT
AND RECOMMENDATION
[DOC. 22], (2) DENYING
PLAINTIFF'S SUMMARY-
JUDGMENT MOTION [DOC. 19],
(3) GRANTING DEFENDANT'S
SUMMARY-JUDGMENT MOTION
[DOC. 20]**

22 On June 24, 2011, Plaintiff Brad K. Buckley filed a complaint in this Court under
23 the Social Security Act seeking judicial review of the Social Security Administration's
24 denial of his Supplemental Security Income claim. On June 24, 2011, the Court
25 referred the matter to United States Magistrate Judge Jan M. Adler for a Report and
26 Recommendation in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 72.1.
27 On April 13, 2012, Judge Adler transferred the matter to United States Magistrate
28 Judge Karen S. Crawford. The parties then filed cross-motions for summary judgment.

1 On December 27, 2012, Judge Crawford issued a Report and Recommendation
2 (“Report”), recommending that the Court deny Plaintiff’s summary-judgment motion
3 and grant Defendant’s summary-judgment motion. (See Report [Doc. 22], 9:3–5.) The
4 Report also required the parties to file any objections by February 1, 2013, and file any
5 replies to objections by February 15, 2013. (*Id.* at 9:7-10.) To date, the parties have
6 filed no objections and have not requested additional time to file objections.

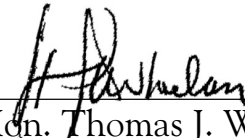
7 A district court’s duties concerning a magistrate judge’s report and
8 recommendation and a respondent’s objections thereto are set forth in Rule 72(b) of
9 the Federal Rules of Civil Procedure and 28 U.S.C. § 636(b)(1). When parties file no
10 objections to a magistrate judge’s report and recommendation, a district court need not
11 review that report and recommendation. See United States v. Reyna-Tapia, 328 F.3d
12 1114, 1121 (9th Cir. 2003) (holding that 28 U.S.C. 636(b)(1)(c) “makes it clear that
13 the district judge must review the magistrate judge’s findings and recommendations de
14 novo *if objection is made*, but not otherwise”) (emphasis in original); Schmidt v.
15 Johnstone, 263 F. Supp. 2d 1219, 1226 (D. Arizona 2003) (concluding that where no
16 objections were filed, the District Court had no obligation to review the magistrate
17 judge’s Report). This rule is well established within the Ninth Circuit and this district.
18 See Wang v. Masaitis, 416 F.3d 992, 1000 n. 13 (9th Cir. 2005) (stating “[o]f course,
19 de novo review of a R & R is *only* required when an objection is made to the R &
20 R.”) (emphasis added) (citing Renya-Tapia, 328 F.3d at 1121); Nelson v. Giurbino, 395
21 F. Supp. 2d 946, 949 (S.D. Cal. 2005) (Lorenz, J.) (adopting Report without review
22 because neither party filed objections to the Report despite the opportunity to do so,
23 stating, “accordingly, the Court will adopt the Report and Recommendation in its
24 entirety.”); see also Nichols v. Logan, 355 F. Supp. 2d 1155, 1157 (S.D. Cal. 2004)
25 (Benitez, J.).

26 Therefore, the Court accepts Judge Crawford’s Report, and **ADOPTS** the Report
27 [Doc. 22] in its entirety. For the reasons stated in the Report, which is incorporated
28 herein by reference, the Court **DENIES** Plaintiff’s summary-judgment motion [Doc.

1 19]and **GRANTS** Defendant's summary-judgment motion [Doc. 20]. The district
2 court clerk shall close the district court case file.

3 **IT IS SO ORDERED.**

4 DATED: February 25, 2013

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7 Hon. Thomas J. Whelan
United States District Judge
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